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Attorneys for Plaintiff  
GEORGE MILLER, Jr.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

\*E-FILED - 7/7/05\*

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| GEORGE MILLER, Jr.,      | ) | Civil Action No. C 03-0777 RMW  |
|                          | ) |                                 |
| Plaintiff,               | ) | STIPULATION AND ORDER           |
|                          | ) | CHANGING HEARING DATE FOR       |
| v.                       | ) | PLAINTIFF'S MOTION FOR AWARD OF |
|                          | ) | REASONABLE ATTORNEYS' FEES      |
| VICORP RESTAURANTS, INC. | ) |                                 |
|                          | ) |                                 |
| Defendant.               | ) |                                 |
|                          | ) |                                 |
|                          | ) |                                 |
|                          | ) |                                 |

On June 17, 2005, plaintiff George Miller, Jr. filed his Motion for Award of Reasonable Attorneys' Fees, with the hearing date set for August 12, 2005.

Counsel for the parties have consulted regarding their need and desire for additional time to file the Opposition and Reply briefs for this motion due to the complexity of the issues and the need to have one or more consultants assist in reviewing the fee request.

Therefore, subject to the Court's approval, the parties through their attorneys of record stipulate to a new hearing date of September 2, 2005, 9:00 a.m., with the Opposition brief due no

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1 later than July 29, 2005 and the Reply brief due no later than August 19, 2005, and respectfully  
2 request that the Court issue an order accordingly.

3 MINAMI, LEW & TAMAKI LLP

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5 Dated: July 5, 2005

6 /s/  
JOHN OTA  
Attorneys for Plaintiff

7 LAW OFFICES OF DAVID R. SIDRAN

8  
9 Dated: July 5, 2005

10 /s/  
DAVID R. SIDRAN  
Attorneys for Defendant.

11  
12 **ORDER**

13 Having reviewed the above stipulation of counsel for both parties in this action and  
14 finding good cause therefor, IT IS ORDERED that the hearing date for plaintiff's Motion for  
15 Award of Reasonable Attorneys' Fees be changed to September 2, 2005, 9:00 a.m., with the  
16 Opposition brief to be filed and served no later than July 29, 2005, and the Reply brief to be filed  
17 and served no later than August 19, 2005.

18 Date: July 7, 2005:

19 /s/ Ronald M. Whyte  
20 HONORABLE RONALD M. WHYTE  
21 United States District Judge  
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